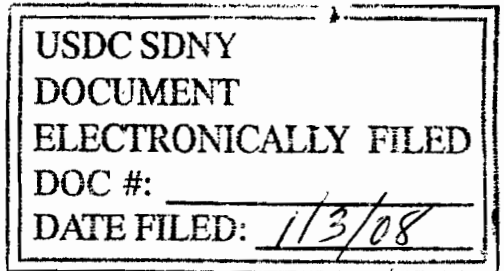


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



----- X
BANK OF NEW YORK,

Plaintiff,

- against -

**TYCO INTERNATIONAL GROUP S.A.,
et al.,**

Defendants.
----- X


ORDER

07 Civ. 4659 (SAS)

SHIRA A. SCHEINDLIN, U.S.D.J.:

Defendants' request is granted in part and denied in part. The Court will address only those issues raised in plaintiff's motion, including the "flip-side" issue regarding the make-whole premium raised in defendants' request to file a cross-motion. The Court will entertain defendants' request on the asset transfer issue after the determination of the instant motion.

SO ORDERED:



Shira A. Scheindlin
U.S.D.J.

Date: New York, New York
January 2, 2008

- Appearances -

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